

CONFIDENTIAL

TITLE: COORDINATED BARGAINING BY UNIONS AND EMPLOYERS

AUTHOR: Mr. C. Gordon Simmons,  
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*Canada*  
DRAFT STUDY

prepared for

TASK FORCE ON LABOUR RELATIONS  
(Privy Council Office)  
*L. Stucklin*

PROJECT NO.: 36

Submitted: JUNE 1968

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## INTRODUCTION

Poly party bargaining! What is it and to what extent is this method of collective bargaining carried on in Canada? Also, in areas where such bargaining exists, what are the ramifications associated with it? Early in 1968 we were asked to look into the question of where it exists; how it began; why it began; is it growing faster or slower throughout Canada in proportion to other forms of collective bargaining; plus several other related questions.

It was agreed our survey was to be preliminary in that we were to review the various studies that had been prepared for the Task Force in order to discover what the authors of such studies had found regarding this aspect of collective bargaining. With few exceptions, however, we found this topic was not broached and those who did mention poly party bargaining devoted no more than one or two pages to the subject.

Our next step was to refer to the data in the "Study of the Structure of Collective Bargaining" as prepared by the "Economics and Research Branch of the Department of Labour". It was indeed unfortunate that minimums of 500 employees were used, especially so far as this study was concerned, because we were then dependent upon information concerning only large corporations. Smaller groups were tabulated, however, where employer associations were evident if the combined total of employees totalled 500 or more.

From the available data we selected several industries for particular study. Our selection was based on at least two factors; one, there had to be a fairly respectable percentage of poly party bargaining



within the industry but also we were interested in ensuring single party bargaining was evident. Secondly, we were concerned over what types of industry to choose. For example, transportation was considered essential because it is a very important service industry and involves provincial and federal jurisdictions. Pulp and paper was chosen because it is a heavy industry which is highly capitalized and is ideally located in West and Eastern Canada with two distinct bargaining patterns. The textile industry is a primary industry and the clothing industry logically follows from textiles and may be termed secondary in nature. The printing industry is highly organized on a craft basis and has experienced a great deal of organization on both sides. Finally, we embarked upon interviewing persons in these industries to better understand their evaluation of the bargaining system to which they are committed.

Our findings are included in two chapters. Chapter I deals mainly with methodology and contains our results obtained from the data. Robert Christie of the Economics and Research Branch of the Department of Labour assisted greatly in arranging the various tables as well as giving guidance in their preparation. Donald A. Cheney, Clerk with the Task Force, prepared the tables and has written the material for Chapter I. Chapter II deals with the selected industries, their approaches to collective bargaining and their satisfactions or dissatisfactions with same.

Finally, from the results of our interviews we have compiled what we consider are the advantages and disadvantages of poly party bargaining as expounded by persons who are actually living with management-employee relations daily.

## CHAPTER I

The co-ordinated bargaining study is designed to investigate the impact of multi-employer multi-union (i.e., poly party) collective bargaining in Canadian industry. It is acknowledged that multi-party or poly party bargaining is growing in importance in the United States as unions strive for conglomerate strength in order to counterbalance corporate expansion. 1/ Since Canada and the United States are linked industrially and economically, it is anticipated a transference of poly party bargaining into Canada through American-owned subsidiaries is a logical development. American based international labour organizations can be expected to infiltrate on the same plane as their corresponding employer units. To what extent can we determine development of poly party bargaining in Canada and how far down the road of development do we estimate Canadian industry will venture?

We will be dealing with "negotiating units" which we define as that unit composed of persons represented at the bargaining table for purposes of reaching or changing a collective agreement. There are 8 types of negotiating units surveyed. First, there is the single-company group which involves 4 different internal relationships. Within this single-company group there is the single-company single-establishment single-union; the single-company single-establishment multi-union; the single-company multi-establishment single-union; and the single-company multi-establishment multi-union. Second, there is a multi-employer group defined for purposes of the study. Of the 4 remaining types of negotiating units 2 are multi-company structured. These 2 are the multi-company single-union and the

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1/ Business Week, February 17, 1968, p. 126.



multi-company multi-union. The last 2 types of negotiating units within the multi-employer structure are the employer association single-union and the employer association multi-union. This is the spectrum through which we shall examine the industry samples based on the statistical data available to us.

For purposes of convenience we have numbered the various employer-union relationships and refer to them under the following typology framework (1 through 8):

#### TYPOLGY

(1) Single-Company	Single-Establishment	Single-Union
(2) Single-Company	Single-Establishment	Multi-Union
(3) Single-Company	Multi-Establishment	Single-Union
(4) Single-Company	Multi-Establishment	Multi-Union
(5) Multi-Company		Single-Union
(6) Multi-Company		Multi-Union
(7) Employer Association		Single-Union
(8) Employer Association		Multi-Union

Specific industry samples have been drawn from the Economics and Research Branch of the Department of Labour. The statistical data has been accumulated mainly from this source although it may be noticed that data from the Dominion Bureau of Statistics has also been applied when and where necessary. The sample has been drawn from a universe of negotiating units available on file at the Department of Labour.

Poly party bargaining is the co-ordination of more than one bargaining entity for purposes of negotiating as a unit one or more issues with another party. The nature of the system may be multi-employer and/or multi-union but it remains poly party in character so long as there exists a unit, employer or union, which is plural in its negotiating composition.



The scope of the poly party system is usually three-fold. On the first hand there is the city-wide bargaining unit involving essentially smaller establishments operating in a particular industrial field within an urban area. On the union side there may be two or more union locals in co-ordinate negotiation with their corresponding employer or multi-employer unit inside the same defined area. The second area of interest is the logical extension of the city-wide concept to a regional or area-wide unit with substantially the same orientation although the composite units may be slightly larger. This area-wide unit falls short of inter-provincial organization for various reasons. The implications of inter-provincial organization shall be discussed in greater detail later in the article. The third and final division is that of the industry-wide unit, claiming the majority of all employees within a particular category of work on the union side, and the majority of all firms in the industry on the employer side. There is also the company-wide bargaining unit. This phenomenon serves to illustrate multi-establishment environment, but the single-employer entity remains constant. The company-wide unit is within a poly party context when it is aligned with a multi-union group.

The data prepared for this survey has certain limitations in view of the focus of this particular study. The minimum size of the negotiating units included in this survey has been established at 500 employees. Therefore, the employers represented in this sample have 500 or more employees and it should be noted that any conclusions to be made from the data are based on activity above this 500 employee level. Of course, smaller employers have been included in the survey where they have joined together and negotiated as a unit employing a combined total of 500 employees or more. It is unfortunate that the tendency to incorporate

smaller employers in multi-employer groups leaves ground for misinterpretation of actual multi-employer trends. The data has not included the employer who negotiates alone and employs less than 500 employees and it is our contention that the survey presented to us cannot be truly cross sectional. By its own defined limits therefore, the survey will be totally selective within the group of companies employing less than 500 employees.

In order to discover the activity in the smaller negotiating units under 500 employees we have interviewed company and union representatives in this category. The results of such interviews are discussed later in the article. The accumulated data has directed us to certain developments in an industry. From this point, there has been an attempt to gain further knowledge of the area of interest by extensive reference to pertinent studies presently available through the facilities of the Task Force. At this point, comprehensive interview sessions were held to investigate specifics and practical detail relating to our particular interest.

Having elaborated sufficiently on the procedural implications and methods of the survey, we can turn briefly to scrutinize the developments illuminated by the data itself. (Table I.) The non-agricultural labour force rose from  $4\frac{1}{2}$  million in 1953 to under  $6\frac{1}{2}$  million in 1965. The growth of the total labour force is directly paralleled by that of the total unionized labour force. The unionized labour force involves 24.72 per cent and 24.76 per cent of the non-agricultural labour force in 1953 and 1965 respectively. <sup>2/</sup> This serves to demonstrate a relatively even

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<sup>2/</sup> It shall be noted in Table I that the percentages are taken from two independent sources (1) The "Labour Gazette" and (2) the Dominion Bureau of Statistics "Seasonally Adjusted Labour Force Statistics". They do not correspond to the published figures in the "Labour Organizations of Canada 1967" due to different source material.



growth of both the total labour force and the unionized labour force. The employees covered by contract in the study represent 54.22 per cent of the total unionized labour force in 1954 and 45.09 per cent in 1965. There is a radical fluctuation in the number of "employees negotiating" during the year as can be seen in the absolute figures available in the lower columns. For this reason, the number of employees "covered by contract" has been used exclusively to demonstrate the employee distribution pattern. We have converted most of our "signing year data" (employees negotiating) to this cumulative "calendar year system" (employees covered by contract) in order to insure consistent evaluation. Later, we become involved in negotiations in effect during a particular year, which is essentially no more than the running totals by contract duration of the signing year data available to us.

## Industrial

Employees

Employees in Thousands (1)

1953 1954 1955 1956 1957 1958 1959 1960 1961 1962 1963 1964 1965

4,489 4,584 4,675 4,907 5,129 5,353 5,482 5,626 5,812 5,857 6,000 6,184 6,420

(2)	Absolute (Thousands)											
	1953	1954	1955	1956	1957	1958	1959	1960	1961	1962	1963	1965
Total Unionized Labour Force	1,110	1,090	1,150	1,350	1,390	1,450	1,458	1,460	1,450	1,420	1,450	1,590
% of Non- Agricultural Labour Force	24.72	23.77	24.59	27.51	27.10	27.08	26.59	25.95	24.94	24.24	24.16	24.76

(3)	Absolute (Thousands)											
	1953	1954	1955	1956	1957	1958	1959	1960	1961	1962	1963	1965
As % of Non-Agr. Labour Force	N.A.	591	599	642	679	683	682	686	676	687	686	717
As a % of Total Unionized Labour Force	N.A.	12.83	12.81	13.08	13.23	12.75	12.44	12.19	11.63	11.72	11.43	11.16
As a % of Total Unionized Labour Force	N.A.	54.22	52.08	47.55	48.84	47.10	46.77	46.98	46.62	48.38	47.31	45.09

(3)	Absolute (Thousands)											
	1953	1954	1955	1956	1957	1958	1959	1960	1961	1962	1963	1965
Employees covered by Contract	N.A.	78.84	53.42	87.38	37.55	61.49	50.29	37.46	62.13	65.50	37.46	35.14
As a % of Total Unionized Labour Force	28.82	42.75	27.82	41.55	18.34	28.96	23.09	17.60	28.96	31.69	17.72	15.84

## Source:

1. Non-Agricultural Labour Force: Dominion Bureau of Statistics, 71-201 (Page 9)
2. Unionized Labour Force:  
Department of Labour "Labour Organizations in Canada" 1953-1958;  
Department of Labour "Labour Gazette"  
Figures for 1959 - August 1960  
1960 - April 1961  
1961 - March 1962  
1962 - March 1963  
1963 - Jan. 1964  
1964 - Feb. 1965  
1965 - Feb. 1966
3. "Study of the Structure of Collective Bargaining"; Economics & Research Branch, Dept. of Labour.



Regional concentration and distribution of employees by type (Table II) of negotiating unit between 1953 and 1965 in Canada reveals heaviest concentrations of employees in typologies 1, 3, and 6. The significant reduction in the number of employees in the multi-company multi-union group (typology 6) is due to the filtering out to other typologies of the railway non-operatives. The railways had provided, until 1948, an example of industry-wide bargaining. The non-operatives bargained jointly with the running trades but since 1948, each has bargained separately. The non-operatives have been incorporated in the study and are responsible for the typology 6 fluctuation. They appear in 1953 as a multi-company multi-union unit but gradually begin to disperse thereafter.

It becomes clear that the non-operatives have been involved in joint negotiations at such times as they considered it to their advantage. In many cases the majority of the non-operatives have bargained separately although the joint bargaining members have set the pace of negotiations for the entire industry. The Joint Committee of Non-Operating Employees has proceeded to the Conciliation Board stage for each and every contract revision since 1948. It is determined that while the number of employees involved in the multi-company multi-union dispersion is significant, the actual number of negotiating units involved is rather insignificant in terms of a negotiating trend being expressed. 3/

The single employer single-union units account for over 50 per cent of the employees in 1953 and over 56 per cent in 1965. Having accounted generally for the relative size and subsequent decrease in the

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3/ Peitchinis Study - "Labour-Management Relations in the Railway Industry".

multi-company multi-union group, the employer association single-union assumes the largest concentration of employees. The multi-company single-union group reveals an employee increase of 4 per cent over the 1953-1965 survey and although this does not seem overpowering it should be noticed that a peak was reached in 1962 at over 6½ per cent. This increase is due to the redistribution of the multi-company multi-union group as can be clearly seen in the Atlantic provinces 1958-1959. There also seems to be, in the Atlantic provinces, a marked growth in the employer association single-union group. We have found no evidence that the multi-company multi-union breakup is responsible for the marked increase of associations in the Atlantic provinces. We can rationalize the marked growth in the multi-company single-union as those non-operatives who for reasons of their own decided not to enter into the contract negotiations of their joint committee, rather, it was to their advantage to band together in smaller groups sharing more or less equal demands.

Distribution patterns in Ontario and Quebec are closely related in that the vast majority of employees in the survey are in the single-company single-union group (typologies 1 and 3). In Ontario, this figure requires 85 per cent while it attains 75 per cent in Quebec. From these closely related distribution patterns we can assume that the environmental conditions parallel each other fairly evenly in Ontario and Quebec. We hasten to stipulate, however, that the basis for our assumption is restricted to the depth that the data has delved.

Employer associations in Quebec have reached, it would seem, a more sophisticated level of development than in Ontario. Reasons for the association development could well involve legislative hospitality in



Quebec where little effective accommodation exists in Ontario--the matter will be discussed further before the conclusion of the report.

The Prairie Provinces provide no significant new developments and while there is a degree of decrease in the employer association single-union group (typology 7), it has had little if any impact on the Canadian scene as will be observed in the first division of this table. The same general concentration principle holds true in the Atlantic provinces. There are no substantial developments in these areas that support any significant swing in the distributional curve at the national level. By way of explanation of the employer association single-union experience in the Prairies, the only activity in this area is in Alberta where the Alberta Coal Association has been losing members from 1955 to the present. In Manitoba, the employer association (typology 7) structure has been growing gradually although total increase in the sample is only slightly over 500 employees. The remainder of the sample is growing while the employer association-single union group is decreasing in number of employees, thus the decrease in this particular distribution.

In British Columbia there seems to be a rather small percentage in the single company single-union group while the balance is thrown rather heavily in the employer association single-union group. This is a significant development as it was discovered that 50 per cent of the employees surveyed of this negotiating type (i.e., typology 7) in Canada were located in British Columbia. It has also been established that of all negotiations in the study across Canada, B.C. averages 24.24 per cent of all negotiations in the employer association single union group. This auxiliary data indicates that, on the average, the employer association

single-union unit in B.C. is large in number of employees.

We find that 9.47 per cent of the negotiations and 13.01 per cent of the employees on the average over the survey period in all negotiating areas Canada-wide are in British Columbia. This is far below the average distribution assigned to employer associations single-union in the above named province. Various reasons may be attributed to this unique development in British Columbia and while it suffices here to mention that environmental factors come very much into play, more detailed analysis can be expected in Chapter II especially the discussion under the heading Pulp and Paper.

The highlights of the employee distribution chart have illuminated some of the more significant developments of this study. This was the logical first step in the breakdown of the data from the macro - or Canada-wide level to the eventual micro - or province and regional level.



TYPOLOGY BY CALENDAR YEAR

TABLE II

(Expressed as a Percentage of Employees by Typology)

Region	Typology	1952	1954	1955	1956	1957	1958	1959	1960	1961	1962	1963	1964	1965
CANADA	Single Company Single Establishment Single Union	1.	50.7	50.5	51.5	51.2	51.0	51.1	51.1	51.2	51.3	51.0	51.9	51.5
	Single Company Single Establishment Multi-Union	2.	1.1	1.1	1.1	1.2	2.1	2.1	2.4	2.5	2.4	2.5	2.4	2.9
	Single Company Multi-Establishment Single Union	3.	19.9	19.4	19.4	20.4	21.2	21.1	20.9	20.0	20.2	21.5	21.8	22.7
	Single Company Multi-Establishment Multi-Union	4.	1.5	2.0	2.0	1.9	2.7	3.4	2.4	2.4	2.5	2.5	2.7	3.0
	Multi-Company Single Union	5.	1.1	1.2	1.1	2.5	2.5	2.7	4.0	5.5	6.4	6.6	5.6	5.9
	Multi-Company Multi-Union	6.	29.9	30.0	30.0	24.1	24.5	22.0	19.9	18.0	17.7	16.5	15.9	14.1
	Employer Association Single Union	7.	14.4	14.5	14.5	13.2	13.5	14.2	14.7	15.1	15.0	15.0	16.0	15.8
	Employer Association Multi-Union	8.	1.2	1.2	1.2	1.2	1.2	1.2	1.4	1.5	1.4	1.4	1.5	1.5
ATLANTIC PROVINCES	Single Company Single Establishment Single Union	1.	21.9	20.2	19.1	22.5	20.5	20.6	34.3	40.8	18.5	19.5	21.1	23.2
	Single Company Single Establishment Multi-Union	2.	1.5	1.2	1.4	11.1	9.3	9.5	9.1	9.7	9.4	8.4	10.1	8.2
	Single Company Multi-Establishment Single Union	3.	35.7	32.4	27.5	9.0	27.1	27.3	28.5	10.7	24.4	25.4	31.5	32.2
	Single Company Multi-Establishment Multi-Union	4.	1.7	1.8	1.7	2.2	1.9	2.0	4.5	5.4	5.9	5.7	5.8	5.7
	Multi-Company Single Union	5.	-	-	-	-	-	-	15.4	19.0	32.1	30.8	23.5	23.9
	Multi-Company Multi-Union	6.	22.0	35.5	41.1	45.8	32.0	21.3	-	-	-	-	-	-
	Employer Association Single Union	7.	-	-	2.0	7.5	5.1	7.3	9.5	11.5	11.7	11.2	8.6	8.7
	Employer Association Multi-Union	8.	1.2	1.2	.9	1.5	1.1	1.1	-	2.8	1.2	1.1	1.5	1.2
QUEBEC	Single Company Single Establishment Single Union	1.	61.7	63.7	59.4	57.4	57.5	51.8	56.2	55.4	54.4	54.2	50.4	46.8
	Single Company Single Establishment Multi-Union	2.	1.1	1.7	1.6	2.0	2.5	2.1	1.8	2.5	2.5	2.6	2.1	3.3
	Single Company Multi-Establishment Single Union	3.	15.7	12.7	15.6	17.5	17.6	15.6	16.4	17.1	18.6	18.5	18.1	22.4
	Single Company Multi-Establishment Multi-Union	4.	2.5	4.9	5.7	5.5	4.5	5.5	4.5	4.0	4.5	4.4	5.1	4.7
	Multi-Company Single Union	5.	2.2	1.4	2.9	4.5	4.6	4.2	4.6	4.6	5.9	5.9	2.9	3.9
	Multi-Company Multi-Union	6.	1.5	1.2	.6	-	.6	1.2	.5	.5	.5	.5	.5	-
	Employer Association Single Union	7.	12.2	11.9	11.7	10.5	10.5	11.6	14.2	14.1	14.2	14.4	19.0	17.7
	Employer Association Multi-Union	8.	2.5	2.6	2.6	2.5	2.5	2.5	2.2	1.9	1.9	1.9	2.1	1.8

REGION	TYPOLGY	1957	1958	1959	1960	1961	1962	1963	1964	1965	1966	1967	1968	1969
ONTARIO	Single Company Single Establishment Single Union	1. 43.5	40.8	47.7	44.9	44.3	44.1	44.2	44.3	44.4	44.5	46.2	45.8	46.5
	Single Company Single Establishment Multi-Union	2. 1.4	.4	.4	2.5	2.1	2.1	3.1	2.1	3.1	3.1	3.0	3.0	3.9
	Single Company Single Establishment Single Union	3. 40.0	41.6	34.6	40.7	40.3	39.9	39.0	39.0	39.7	37.0	39.9	37.0	34.2
	Single Company Multi-Establishment Multi-Union	4. 1.1	1.0	1.5	3.0	3.1	3.0	2.0	2.5	2.0	2.5	2.0	2.2	4.2
	Multi-Company Single Union	5. .8	1.9	2.0	2.1	2.1	2.2	2.4	2.5	2.3	3.5	2.8	2.5	3.0
	Multi-Company Multi-Union	6. 7.6	7.7	6.2	.4	1.3	.9	.6	.9	.0	.7	.7	.7	.5
	Employer Association Single Union	7. 6.4	6.5	7.7	6.6	6.8	7.9	8.6	7.5	8.9	8.9	7.1	8.0	7.6
	Employer Association Multi-Union	8. -	-	-	-	-	-	-	-	-	-	-	-	-
PEAKIE PROVINCES	Single Company Single Establishment Single Union	1. 27.5	31.0	35.4	37.7	35.7	36.7	40.1	39.4	41.0	44.9	42.6	44.4	45.0
	Single Company Single Establishment Multi-Union	2. -	-	-	6.6	6.3	5.5	6.9	6.4	5.1	5.2	5.1	4.7	5.5
	Single Company Multi-Establishment Single Union	3. 36.2	29.7	40.1	34.9	38.1	35.5	31.5	30.8	31.4	29.5	30.4	32.4	30.4
	Single Company Multi-Establishment Multi-Union	4. -	-	-	1.2	1.1	1.0	.9	.8	.9	.8	.8	.8	.8
	Multi-Company Single Union	5. 2.1	2.2	4.3	4.1	4.1	7.0	6.9	9.9	9.2	9.2	7.8	7.9	8.3
	Multi-Company Multi-Union	6. 1.0	1.4	1.4	-	-	-	-	-	-	-	-	-	-
	Employer Association Single Union	7. 30.7	35.7	18.3	15.5	15.3	14.3	13.6	12.7	12.2	10.4	10.2	9.8	9.5
	Employer Association Multi-Union	8. -	-	-	-	-	-	-	-	-	-	-	-	-
BRITISH COLUMBIA	Single Company Single Establishment Single Union	1. 10.3	10.7	12.2	12.7	13.2	12.3	12.7	12.1	12.3	12.9	12.4	11.6	11.3
	Single Company Single Establishment Multi-Union	2. -	-	-	-	-	-	-	-	-	-	-	-	-
	Single Company Multi-Establishment Single Union	3. 9.7	11.3	11.9	12.4	11.7	12.8	13.5	11.6	11.0	12.2	12.1	11.6	11.3
	Single Company Multi-Establishment Multi-Union	4. 2.9	2.8	3.0	3.0	3.3	3.3	1.4	1.4	2.0	1.9	1.9	2.1	2.1
	Multi-Company Single Union	5. 2.0	2.9	2.8	4.0	3.8	4.7	6.4	13.7	14.1	14.5	15.2	15.4	16.6
	Multi-Company Multi-Union	6. 5.0	5.3	5.5	5.2	6.2	5.9	5.7	-	-	-	-	-	-
	Employer Association Single Union	7. 66.0	63.3	60.8	58.8	57.9	56.8	54.9	55.7	54.5	52.7	52.8	52.6	52.2
	Employer Association Multi-Union	8. 4.1	3.8	3.7	3.9	3.8	4.2	5.4	5.6	5.9	5.3	5.7	6.6	6.6

Source: Chart Compiled by: Robert Christy,  
Economics and Research Branch,  
Department of Labour.

Distribution along the lines of negotiating units in existence (calendar year) (Table III) 1953-1965 closely parallels the employee distribution, thereby reinforcing established trends in this area. The number of negotiating units in the multi-company multi-union group is small, comprising at most  $2\frac{1}{2}$  per cent of all negotiations in the peak year 1954. In 1965 the railway non-operatives account for 14 per cent of the employees surveyed while they are involved in less than  $\frac{3}{4}$  of 1 per cent of the negotiations in effect for that year. It is now rather obvious that the non-operatives, while active in employee distribution, are relatively unimportant in the development of negotiating trends.

Typologies 1 and 3 account for 76 per cent of the negotiating units in existence and 50 per cent of the employees in 1953 while in 1965 these figures are 74 per cent and 56 per cent respectively. This large preponderance of negotiating units and employees of the single company single-union group indicates that poly party bargaining in the 500 and over employee range is not the dominant form of bargaining. It would appear that poly party bargaining is not a growing condition, rather, it has remained relatively static over the survey period.



TABLE III

## NUMBER OF NEGOTIATING UNITS

IN EXISTENCE (1953-1965)

TYPOLGY		1953	1954	1955	1956	1957	1958	1959	1960	1961	1962	1963	1964	1965	Totals
Single Company Single Establishment Single Union	1.	115	127	149	165	179	175	190	197	212	217	229	226	230	2,411
Single Company Single Establishment Multi-Union	2.	7	6	12	15	15	14	19	19	19	17	18	18	15	194
Single Company Multi-Establishment Single Union	3.	44	52	57	63	66	56	64	69	71	72	72	74	76	836
Single Company Multi-Establishment Multi-Union	4.	4	4	10	11	3	8	11	8	9	9	12	12	12	113
Multi-Company Single Union	5.	7	8	10	13	14	12	21	23	22	25	24	25	25	229
Multi-Company Multi-Union	6.	4	6	4	5	4	3	3	2	3	4	3	2	3	46
Employer Association Single Union	7.	24	23	29	32	35	34	42	39	37	41	45	42	46	474
Employer Association Multi-Union	8.	3	3	3	3	3	3	3	3	3	4	4	3	3	41
TOTALS		208	234	274	307	324	305	353	360	376	389	407	402	410	4,349

## PERCENTAGE OF THE TOTAL NUMBER OF NEGOTIATING UNITS

IN EXISTENCE (1953 - 1965)

TYPOLGY		1953	1954	1955	1956	1957	1958	1959	1960	1961	1962	1963	1964	1965
Single Company Single Establishment Single Union	1.	55.28	54.27	54.37	53.74	55.24	57.37	53.82	54.72	56.38	55.78	56.26	56.21	56.09
Single Company Single Establishment Multi-Union	2.	3.36	2.56	4.37	4.88	4.62	4.59	5.38	5.27	5.05	4.37	4.42	4.47	3.65
Single Company Multi-Establishment Single Union	3.	21.15	22.22	20.80	20.52	20.37	18.36	18.13	19.16	18.88	18.50	17.69	18.40	18.53
Single Company Multi-Establishment Multi-Union	4.	1.92	1.70	3.64	3.57	2.46	2.62	3.11	2.22	2.39	2.31	2.94	2.98	2.92
Multi-Company Single Union	5.	3.36	3.41	3.64	4.23	4.32	3.93	5.94	6.38	5.85	6.42	5.89	6.21	6.09
Multi-Company Multi-Union	6.	1.92	2.56	1.45	1.62	1.23	.98	.84	.55	.79	1.02	.73	.49	.73
Employer Association Single Union	7.	11.55	11.96	10.58	10.42	10.80	11.14	11.89	10.83	9.84	10.53	11.05	10.44	11.21
Employer Association Multi-Union	8.	1.44	1.28	1.09	.97	.92	.98	.84	.83	.79	1.02	.98	.74	.73

Source: "Study of the Structure of Collective Bargaining"

Typology as a Function of Calendar Year - Canada  
Economics and Research Branch,  
Department of Labour.

The average size of negotiating units (Table IV) appears to be very large. When we consider that this is an average size of negotiating units over 500 employees and that most of these units are in fact much larger it is not difficult to rationalize the apparent oversize of the unit. The railway non-operatives are very large negotiating units and it is expected that an average negotiation will involve 40,000 or 50,000 employees in typology 6. The single employer units are large on the average and although this again is an average size, it is quite clear that the study has merely superficially examined the industries which were surveyed. We have further evidence in the "signing year" tables (Chapter II) of particular industries that the comprehensiveness of the study data is short of ideal.

II. EMPLOYMENT (1941-1945)

BY EMPLOYERS

<u>TYPOLGY</u>	<u>1941</u>	<u>1942</u>	<u>1943</u>	<u>1944</u>	<u>1945</u>	<u>1946</u>	<u>1947</u>	<u>1948</u>	<u>1949</u>	<u>1950</u>	<u>1951</u>	<u>1952</u>	<u>1953</u>	<u>1954</u>	<u>1955</u>
Single Company Single Establishment Single Union	1,534	1,420	1,402	1,367	1,233	1,287	1,233	1,203	1,203	1,203	1,109	1,085	1,042	1,075	1,073
Single Company Single Establishment Multi-Union	950	1,115	520	999	964	1,026	859	904	879	1,017	954	1,073	1,729		
Single Company Multi-Establishment Single Union	2,630	2,253	2,093	2,205	2,198	2,653	2,245	1,962	1,958	2,030	2,126	2,291	1,826		
Single Company Multi-Establishment Multi-Union	2,405	2,906	1,521	1,790	2,344	2,053	1,516	2,006	1,926	1,872	1,575	1,601	2,162		
Multi-Company Single Union	1,132	974	1,174	1,309	1,212	1,547	1,310	1,602	2,010	1,821	1,643	1,619	1,709		
Multi-Company Multi-Union	44,252	29,907	45,033	33,036	41,525	51,435	45,585	60,877	40,613	27,938	37,317	50,700	33,755		
Employer Association Single Union	3,551	3,112	3,045	2,805	2,631	2,342	2,400	2,620	2,787	2,517	2,493	2,103	2,446		
Employer Association Multi-Union	2,357	2,446	2,615	2,770	2,693	2,833	3,126	3,026	3,126	2,370	2,556	3,605	3,493		

Source: "Study of the Structure of Collective Bargaining"

Typology as a Function of Calendar Year - Canada  
Economics and Research Branch,  
Department of Labour.



The following distribution graph of negotiating units in existence is designed so as to establish each typology graph line as the base for the graph immediately above it, or so that the distribution is influenced directly by the entire typological framework. The typology 1 (single-company single-establishment single-union) distribution graph is plotted on the x axis and its curve is the base line for the typology 3 (single-company multi-establishment single-union) distribution and so on....

The distribution graph projects the general negotiating trends over the survey period. The two single company single-union groups (i.e., typologies 1 and 3) along with the employer association single-union group of negotiating unit (typology 7) have had the most significant impact on the sample. The dip in the graph 1957-59 is due to the minor recession of 1957. The results were strained industrial relations, lengthy negotiation periods, and general decrease in economic activity. There were fewer contracts signed in 1957 than usual as the activity 1957-1959 testifies. Further, as a result of the recession in 1957 it was calculated that layoffs led to some employer units being excluded from the sample of 500 or more employees because of the reduction in production and consequently in that of employment.

400

350

300

250

200

150

100

50

TYPOLGY

6+  
4  
2  
5  
7

3

1

YEAR-BY-YEAR DISTRIBUTION  
OF NEGOTIATING UNITS  
IN EXISTENCE

SOURCE: "Study of the structure of  
Collective Bargaining".

Donald Brazier - Economics and Research Branch  
Department of Labour

1953

1954

1955

1956

1957

1958

1959

1960

1961

1962

1963

1964

1965

It has been said that multi-employer bargaining accentuates the possibility of monopoly by forcing smaller companies out of business and preventing new companies from growing in the same available markets. Concrete evidence is unavailable to refute or substantiate these claims, it is opinion that stands as the only authority. We have documented many opinions and each is an example of involvement and concern but all lack the factual background required for a probing analysis. We have established only that multi-employer and/or multi-union bargaining exists where environmental conditions support it. There is a degree of reluctance among smaller employers to become involved in multi-employer negotiation due mainly to their belief that such involvement is designed to curtail their individual autonomy. There is equal reluctance to support an expensive industrial relations department created by the community of employers. Generally then, those involved in multi-employer bargaining find it profitable and choose to remain, while those not involved seek to solve their own problems individually and cherish above all their independence.

Poly party bargaining presently occupies an integral position in the collective bargaining process. Where it has failed to assume any real sizable proportions in Canada to date, it is expected to continue to grow in influence. A greater sense of responsibility is required on the part of both union and management as industrial strife threatens public interest and general economic stability. Where responsible attitudes are essential to industrial peace, poly party bargaining promotes general consideration of universal conditions and tends to expand the bargaining structure through regional snares and local clashes. Where industrial peace is a prerequisite for economic stability, poly party bargaining unifies divergent factions within an industry. The problems of industrial development



that face this country are many. We must fashion new methods to deal with the stresses of industrial dependency as we can no longer be confident in our attempts to resurrect an old world which has since been shrouded by time and technology.

## CHAPTER II

### SELECTED INDUSTRIES

Mention has already been made of the deficiencies in the data available through the Department of Labour. The size of the employers (employing minimums of 500 employees) was considered to be a major inhibition in our study because it was initially considered that the smaller employer would have a greater tendency to join others of similar size to present a united front to the unions than would the larger employers. Our findings, although cursory, do not substantiate this view for reasons we shall discuss later.

The data was completely void of material relating to the construction industry which is indeed unfortunate because indications reveal that this industry has probably the highest percentage of poly party bargaining in Canada and is receiving legislative attention to facilitate this method of bargaining. 1/

Table V illustrates the industries in which we found varied incidences of poly party bargaining. Time limitations placed on this study necessitated that we select several industries for examination while at the same time ensuring that our choices would satisfactorily illustrate the ramifications associated with poly party bargaining on a general scale.

Finally, the available data has not indicated any major oscillation in the growth of poly party bargaining. Rather it is a phenomenon

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1/ Statutes of Ontario, 1966, C. 76, S. 3.

TABLE V

THE EXTENT OF POLY PARTY BARGAINING  
IN THE INDUSTRY SAMPLE\*

<u>Industry</u>	<u>Average Percentages in Poly Party Bargaining Over the Survey Period 1953-1965</u>
Logging and Sawmilling	25.58
Food	12.08
Printing	71.87
Mining	9.85
Pulp and Paper	14.95
Wholesale	70.65
Retail	64.20
Textiles	6.50
Transportation Equipment	6.54
Utilities	8.57
Community Hospitals	2.71
Clothing	77.66
Fishing	100.00
Personal: Services Hotels	42.07
Transportation (Trucking)	90.68

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\*Source: The study of the Structure of Collective Bargaining conducted  
by Department of Labour, Ottawa.



which is paralleling very closely the growth of collective bargaining generally. 2/ We found that employer groups who have participated in poly party bargaining have (since the early nineteen fifties) (and earlier in some cases) enjoyed a satisfactory experience and would adamantly oppose any efforts toward its abrogation through legislative action. On the other hand, employers who bargain on a plant by plant basis are satisfied with such arrangements and view poly party bargaining suspiciously even though they support collective bargaining.

#### Pulp and Paper

The pulp and paper industry is a capital intensive industry having skilled workers belonging to crafts as well as having many employees organized on an industrial basis. Furthermore, it is one of the nation's largest exporting industries and is basically located in two distinct areas in Canada. There is the Western group located in British Columbia with the Eastern group being found in Ontario and each province to its east with the exception of Prince Edward Island. Our data illustrates that the Western segment of the industry is totally committed to poly party bargaining whereas the Eastern group negotiates and signs separate agreements with one exception. The exception is the Eastern Canada Newsprint

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2/ The number of negotiating units in existence

<u>Year</u>	<u>Single-Employer</u>	<u>Multi-Employer</u>
1953	81.71%	18.25%
1965	81.19%	18.76%

Group. 3/ The main reason for this deviation from the pattern in Eastern Canada is that the companies involved produce newsprint exclusively at these locations. While newsprint is produced elsewhere in Eastern Canada it is not produced exclusively at any one location elsewhere. In 1962 the two major unions representing the workers; the International Brotherhood of Paper Makers and the International Brotherhood of Pulp, Sulphite and Paper Mill Workers approached the companies together in an effort to achieve a common negotiating body in management. It failed, however, because the unions were unable to comply with the requirement by management that the union leaders first have a power of attorney to conclude agreements at the bargaining table.

Several reasons explain the British Columbia experience. First, the head office of the firms are located in Vancouver which allows for easier contact being maintained among the executives. Second, the Pacific North West Manufacturers Association in the United States which has had poly party bargaining since the thirties has played an influential role in B.C. Third, the parties have had to deal with only one Labour Relations Board whereas in the East there may be several. Furthermore, the Labour Relations Board of British Columbia has certified the unions on an industrial basis for years whereas in the East, (especially in Ontario) the experience until the last few years has been to certify crafts. Craft structures have had a divisive effect on labour-management relations rather

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3/ These include Mersey Paper Company in Nova Scotia, Domtar in Trois-Rivières and Dolbeau; Anglo Canadian, Quebec City; and James MacLaren in Buckingham. (Spruce Falls and Kimberley Clark show up as multi companies but Kimberley Clark owns Spruce Falls.)

than a unifying one. Finally, in the West the companies have had an integrated job evaluation programme for many years with management and union members participating in same whereas this has not been the case in the East. The Eastern group has placed greater emphasis on job titles which makes job functions difficult to compare among the various companies. Canadian International Paper Company of Montreal has, however, recently embarked upon a job evaluation programme but expects it will take considerable time before implementation and acceptance is complete.

The material included in the following specific industry tables has been obtained from the available signing year data and reveals signing patterns of negotiations reached during the year on a regional basis. The percentages in the appropriate typology columns represent the proportion of all the companies signing an agreement in any particular year.

The total employees in the industry sample are taken as a percentage of both; one, the total unionized employees in the industry in Canada by region and year and two, the total employees in the industry in Canada by region and year.

"Interprovincial jurisdiction" refers to a negotiating unit which encompasses two or more provincial jurisdictions. Logically, the preponderance of this phenomenon is found in employer associations or multi-employer groups. However, single employer groups (i.e., typologies 1 - 4) may conceivably be included in interprovincial jurisdictions where multi-establishments exist. Reference to the charts will reveal the incidences of such occurrences.



## EMPLOYEES\*

UNIONIZED EMPLOYEES EXPRESSED AS A % OF  
ALL UNIONIZED EMPLOYEES IN THE INDUSTRY

UNIONIZED EMPLOYEES EXPRESSED AS A %  
OF TOTAL EMPLOYEES IN THE INDUSTRY

## APPENDIX

	2017	2016	2015	2014	2013	2012	2011	2010	2009	2008	2007	2006
QUINCY	14.64	15.75	13.23	14.42	10.30	9.83	7.05	9.70	3.07	9.34	7.56	6.96
ORIO	N/A	17.24	14.11	14.05	12.68	11.81	N/A	8.10	6.12	9.09	4.24	9.36
WATKINS COLUMBIA	N/A	N/A	10.06	8.10	8.77	9.26	N/A	N/A	6.54	5.24	6.10	6.55
NEW BRUNSWICK	3.35	3.52	3.26	3.01	2.47	2.45	2.02	2.15	2.12	1.95	1.77	1.77
WINDFORD	4.94	5.19	5.94	4.53	4.72	3.32	3.06	3.17	3.80	2.07	3.44	2.75
WINDFORD HILL	10.75	22.25	22.01	20.26	19.37	15.57	21.58	13.42	14.30	13.12	13.39	10.98
WINDFORD HILL HILL	54,650	50,175	60,577	61,700	74,000	77,000	86,000	95,000	93,227	97,201	101,455	110,128

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2000

COMPANIES IN ASSOCIATIONS EXPRESSED AS  
A % OF COMPANIES IN THE INDUSTRY SAMPLE

COMPANIES IN MULTI-EMPLOYER BARGAINING GROUPS  
EXPRESSED AS A % OF COMPANIES IN THE INDUSTRY SAMPLE

							Unions Single Multi 1952	Unions Single Multi 1956	Unions Single Multi 1952	Unions Single Multi 1956	Unions Single Multi 1952	Unions Single Multi 1956
1951	1956	1958	1960	1962	1965							
—	—	—	—	—	—	—	5.75	—	—	—	—	—
—	—	—	—	—	—	—	10.71	—	7.25	—	5.12	—
—	—	—	—	—	—	—	16.07	—	—	—	27.07	—
—	—	—	—	—	—	—	—	—	—	—	32.55	—
—	—	—	—	—	—	—	—	—	—	—	34.09	—
—	—	—	—	—	—	—	—	—	—	—	7.31	26.79
—	—	—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—	—	—
1962	1962	1962	1962	1962	1962	—	35.71	—	—	—	—	—

TYC LOGY™

Typ. 1...<sup>u</sup>

COMPANIES IN SINGLE EMPLOYER BARGAINING GROUPS  
EXPRESSED AS A % OF THE COMPANIES IN THE INDUSTRY SAMPLE

				Multi Union		Single Union		Multi Union		Single Union		Multi Union		Single Union		Multi Union		Single Union	
				1955		1959		1960		1961		1962		1963		1964		1965	
ME	SE	ME	SE	ME	SE	ME	SE	ME	SE	ME	SE	ME	SE	ME	SE	ME	SE	ME	SE
1.78	1.78	10.71		9.37	6.25	3.12	12.50	5.12	7.69	—	7.69	4.65	6.18	2.32	2.32	6.81	6.81	2.27	4.54
—	—	—	—	3.12	15.62	—	9.37	2.56	15.35	—	7.69	2.32	13.95	—	6.18	2.27	13.63	—	6.81
—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
—	—	1.78	1.78	—	3.12	3.12	—	—	7.69	2.56	—	—	2.32	2.32	—	—	2.27	2.27	—
—	2.57	—	—	—	6.25	—	—	—	7.69	—	—	—	4.65	—	—	—	2.27	—	—
1.78	—	—	—	6.25	—	—	—	5.12	—	—	—	2.32	—	—	—	4.54	—	—	—

\* SAMPLE: 1,112 of Industry 1989  
1,112 of Industry 1989

1977 "Labour Organization in Canada"

"LACOLET GAZETTE"

Doc. for Bureau of Statistics "Summary of the Manufacturing Industries"

of the Structure of Collective Bargaining"  
 and Research Branch, Department of Labour

... 19 ... Enrichissement ...  
... 20 ...

### Clothing Industry

The clothing industry is comprised of manufacturers who fall into one of several categories. They are the manufacturers of ladies' apparel; men's and boys clothing; and the fur manufacturers. Each of these three main groupings has its own association of employers as well as different unions representing the employees.

Montreal is the largest manufacturing center in Canada with Toronto being second largest. 4/ The industry is made up of small employers who, as a general rule, employ relatively few employees but they are well organized into associations in each major area. 5/ The data has included 651 employers with approximately 23,880 employees for an average of 36.68 employees per company. There were, however, only 11 different negotiating units. Of these, 9 involved employer associations while two were single employers each with single establishments.

Approximately 50 per cent of the industry is organized. It is conceded that organizing shops with 1 or 2 employees is very difficult and efforts have been exerted on the larger employing groups instead.

The major unions in this industry are: the International Ladies' Garment Workers Union (I.L.G.W.) which has organized employees of companies that manufacture ladies' apparel. The union has locals in Montreal, Toronto,

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4/ Mr. S. L. Charney, Executive Director, Toronto Cloak Manufacturers' Association.

5/ Miss Gauthier, Executive Secretary, Montreal Fur Workers Union - for example of size; in the fur manufacturing industry in the Montreal area there are approximately 1,200 employees. Approximately 900 are employed in 30 shops whereas the remainder are 1 and 2 man "shops".

Winnipeg, Saskatoon, Edmonton and Vancouver. The union negotiates in Montreal and Toronto at the same time with expiry dates of contracts being the same in each center. New contracts are identical for both areas. They do not, however, sit at the same bargaining table. Rather, the Canadian Vice President (who is located in Montreal) negotiates in Montreal with the Montreal employer associations there and only when agreement is reached, does the union representative in Toronto receive authority to conclude an agreement with the employers' association in Toronto but he is restricted to reaching an agreement on the exact terms as were reached in Montreal. Winnipeg and other Western centers are not included in this set of negotiations but negotiate locally. However, they are also guided by the Montreal Office, thus raising implications of nation-wide collective bargaining.

The Amalgamated Clothing Workers' of America have organized workers in men and boys clothing who are primarily located in Montreal and Toronto whereas the fur workers union (affiliated with the Amalgamated Meat Cutters and Butcher Workmen of North America) have organized the employees of the fur manufacturers.



The latter union has the following locals.

<u>Type of Employer</u>	<u>Location and Number of Shops</u>			
	<u>Montreal</u>	<u>Toronto</u>	<u>Winnipeg</u>	<u>Edmonton</u>
Manufacturing	357			
Dressing & Dyeing	5	1	1	
Mouton Processing	1			
Blenders	Several			
*Auction House	(2) 1	(1)	(2)	(1)
Fur Cleaners	1	1		

\*Figures in brackets indicate the total number in the area—others indicate number organized.

It is noteworthy that representatives of the fur dressers and dyers from Montreal, Toronto, and Winnipeg meet representatives of the employer associations from the respective cities, in Montreal, at one bargaining table where a "national contract" is reached.

In Quebec, the Confederation of National Trade Unions (C.N.T.U.) has organized workers in each segment of the industry. Finally, there are the United Garment Workers of America and the United Hatters Cap and Millinery Workers International Union but they are relatively small.

While there is much room for organization by the unions it is significant that a high percentage of the industry is located in Quebec. This province has enacted a Collective Agreement Act which enables the extension of collective agreements to the non-unionized sector of the industry. This development will be discussed in greater detail later in the report. Suffice to say at this point, however, that while only

approximately 50 per cent of the industry is organized, a much greater portion of the industry is influenced by the combined action of management and employee groups in the organized sector than is at first apparent.

TABLE 10

UNIONIZED EMPLOYEES EXPRESSED AS A % OF  
ALL EMPLOYED EMPLOYEES IN THE INDUSTRY

UNIONIZED EMPLOYEES EXPRESSED AS A %  
OF TOTAL EMPLOYEES IN THE INDUSTRY

	1954	1955	1956	1957	1958	1959	1960	1961	1962	1963	1964	1965	1966	1967	1968	1969	1970
Unionized Employees	50.62	50.00	50.29	51.75	51.11	51.50	51.57	51.78	51.79	52.37	52.11	52.14	52.14	52.14	52.14	52.14	52.14
Non-Unionized Employees	49.38	49.99	49.71	48.25	48.89	48.50	48.43	48.22	48.21	47.62	47.89	47.86	47.86	47.86	47.86	47.86	47.86
Total Employees	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00
Unionized Employees	50.62	50.00	50.29	51.75	51.11	51.50	51.57	51.78	51.79	52.37	52.11	52.14	52.14	52.14	52.14	52.14	52.14
Non-Unionized Employees	49.38	49.99	49.71	48.25	48.89	48.50	48.43	48.22	48.21	47.62	47.89	47.86	47.86	47.86	47.86	47.86	47.86
Total Employees	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00
Unionized Employees	50.62	50.00	50.29	51.75	51.11	51.50	51.57	51.78	51.79	52.37	52.11	52.14	52.14	52.14	52.14	52.14	52.14
Non-Unionized Employees	49.38	49.99	49.71	48.25	48.89	48.50	48.43	48.22	48.21	47.62	47.89	47.86	47.86	47.86	47.86	47.86	47.86
Total Employees	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00

TABLE 11

COMPANIES IN ASSOCIATIONS EXPRESSED AS  
A % OF COMPANIES IN THE INDUSTRY SAMPLE

TABLE 12

COMPANIES IN MULTI-EMPLOYER BARGAINING GROUPS  
EXPRESSED AS A % OF COMPANIES IN THE INDUSTRY SAMPLE

	1954	1955	1956	1957	1958	1959	1960	1961	1962	1963	1964	1965	1966	1967	1968	1969	1970
Companies in Associations	55.11	50.63	58.57	79.20	55.47	59.90	55.11	55.11	55.11	55.11	55.11	55.11	55.11	55.11	55.11	55.11	55.11
Companies in Multi-Employer Bargaining Groups	1.70	18.00	19.24	20.44	20.05	20.76	20.76	20.76	20.76	20.76	20.76	20.76	20.76	20.76	20.76	20.76	20.76
Total Companies	56.81	68.63	77.81	99.64	75.52	80.66	75.87	75.87	75.87	75.87	75.87	75.87	75.87	75.87	75.87	75.87	75.87
Companies in Associations	55.11	50.63	58.57	79.20	55.47	59.90	55.11	55.11	55.11	55.11	55.11	55.11	55.11	55.11	55.11	55.11	55.11
Companies in Multi-Employer Bargaining Groups	1.70	18.00	19.24	20.44	20.05	20.76	20.76	20.76	20.76	20.76	20.76	20.76	20.76	20.76	20.76	20.76	20.76
Total Companies	56.81	68.63	77.81	99.64	75.52	80.66	75.87	75.87	75.87	75.87	75.87	75.87	75.87	75.87	75.87	75.87	75.87

TABLE 13

COMPANIES IN SINGLE EMPLOYER BARGAINING GROUPS  
EXPRESSED AS A % OF THE COMPANIES IN THE INDUSTRY SAMPLE

	1954	1955	1956	1957	1958	1959	1960	1961	1962	1963	1964	1965	1966	1967	1968	1969	1970
Companies in Single Employer Bargaining Groups	1.70	18.00	19.24	20.44	20.05	20.76	20.76	20.76	20.76	20.76	20.76	20.76	20.76	20.76	20.76	20.76	20.76
Total Companies	56.81	68.63	77.81	99.64	75.52	80.66	75.87	75.87	75.87	75.87	75.87	75.87	75.87	75.87	75.87	75.87	75.87

\* Source: 1974 and 1975  
1976 and 1977

SOURCE: "Labour Organizations in Canada"  
"Labour Gazette"  
Dominion Bureau of Statistics "Summary of the Manufacturing Industries"

\*\* SOURCE: "Study of the Structure of Collective Bargaining"  
Dominion Bureau of Statistics, Department of Labour

\*\*\* SOURCE: "Study of the Structure of Collective Bargaining"  
Dominion Bureau of Statistics, Department of Labour



## Textile Industry

The clothing industry may be termed a secondary manufacturing industry. We discovered an extremely high percentage of employer organization into the formation of associations in that industry. The textile industry is considered a primary manufacturing industry which has approached the question of labour relations in an entirely different manner. Contrary to what has happened in the clothing industry, textile producers have not formed into multiple groups for collective bargaining purposes. Again, the majority of companies are small but, unlike clothing manufacturers who tend to locate around large urban centers, the textile manufacturers locate in small urban and rural areas situated close to the supply of the raw material. The employers therefore have tended to isolate themselves and clothe their operations in great clouds of secrecy and are extremely reluctant to divulge what is taking place within their organization. Furthermore, there is a great diversity in production. The various companies are involved in varied areas of production such as spinning, weaving, knitting, etc., and very few are fully integrated like Dominion Textiles and Wabasso Company.

Changes are appearing, however. Technological advancements are being introduced into the industry and a keener awareness of labour relations problems is evident due to pressures being exerted by the unions through the militant factions. Changes in attitudes are also being urged by the Canadian Textile Institute. This organization, representing employers, provides informational services only and is located in Montreal. It has been instrumental lately in convening meetings of high ranking executives on both management and union sides where a wide range of mutual

problems are discussed. Acceptance has been gratifying and officials of the institute are optimistic that a new co-operative relationship will emerge.

It is estimated that slightly less than 50 per cent of the 88,000 employees in the textile industry are organized. The United Textile Workers of America and the Textile Workers of America are the two most predominant unions having approximately 12,500 and 20,000 members respectively. In addition to these unions there is the Confederation of National Trade Unions (C.N.T.U.) which is exclusively located in Quebec with approximately 10,000 members.

The unions agree that their efforts toward poly party bargaining have been thwarted for a variety of reasons. The major reason is the diversity of production in each plant thereby requiring different skills making comparisons on salaries rather difficult. Furthermore, where plants produce similar material, such as, textiles with fine fibres, the plants are usually so remote from each other that it is difficult to rebut the logic put forth by management that working conditions and wages in plant X are irrelevant to the plant being discussed. This leads to the second reason which is the great variation in wages that has existed and which is self perpetuating and difficult to eradicate. A union executive claims that wide variations exist even within the geographical area of the Eastern Townships of Quebec. Another reason is due to the fact, according to the unions, that companies place great emphasis on "job titles" rather than "job evaluation" which the union leaders claim present large obstacles when they argue before management that plant "A" should pay the same rates as plant "B" or vice versa depending upon the circumstances. While titles

may correspond the similiarity ends there and as pointed out earlier, what company "A" does, is regarded by company "B" to be of no concern to it.

In summary, if one were to generalize, and it is conceded that such action is extremely dangerous, the textile industry has been made up of rather small companies that have been located in small urban areas away from large centers such as Montreal and Toronto. Furthermore, the ownership of such companies has been maintained within families who have more or less dominated the scene where their plants have been located. As a result the family head has been the president of the company and manager of the industrial relations department at the same time. Little or no definite planning has been devoted to the latter area therefore, and the entrepreneurial attitudes of the individual presidents have tended to keep his operations "close to the chest" with little or no contact or co-operation with others being evident.

Union organization has been slow coming to the textile industry with approximately 50 per cent of the eligible work force presently organized. This can be attributed to factories being located in small towns where the young people usually leave school early to go to work for such factories with little or no thought being given to moving away and finding work elsewhere.

It is anticipated changes will occur fairly rapidly, however, with the introduction of technological changes, better educated workers, uninterrupted prosperity for several years and a concerted effort by unions to organize the industry.



One union official informed the writer that he foresees little hope of employers banning together in the near future but he states this is one of the goals of the union.

While there has even been a reluctance on the part of employers operating more than one plant to combine in negotiations with unions there is tangible evidence of change. The Celanese Company agreed in 1967 to negotiate with the union at one bargaining table for its four plants. The practice had been to negotiate four separate times with four contracts resulting. Also, Bruck Mills Limited signed a master contract in 1967 for the first time. With this development the union official believes the heretofore seemingly immovable position taken by management throughout the industry will undergo a change in attitude but believes it will take time. 6/

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6/ Dominion Textiles Limited and Montreal Cotton have negotiated together since 1956 but the latter company is a wholly owned subsidiary of the former. This is the only example of poly party bargaining in the available data.

EMPLOYEES\*

<u>JURISDICTION</u>	<u>UNIONIZED EMPLOYEES EXPRESSED AS A % OF ALL UNIONIZED EMPLOYEES IN THE INDUSTRY</u>					<u>UNIONIZED EMPLOYEES EXPRESSED AS A % OF TOTAL EMPLOYEES IN THE INDUSTRY</u>					<u>COMPANIES IN ASSOCIATIONS EXPRESSED AS OF % OF COMPANIES IN THE INDUSTRY SAMPLE</u>				
	<u>1955</u>	<u>1957</u>	<u>1959</u>	<u>1961</u>	<u>1964</u>	<u>1955</u>	<u>1957</u>	<u>1959</u>	<u>1961</u>	<u>1964</u>	<u>1955</u>	<u>1957</u>	<u>1959</u>	<u>1961</u>	<u>1964</u>
QUEBEC	59.34	32.72	40.41	40.59	37.26	20.29	19.08	15.25	19.14	18.01	-	-	-	-	-
ONTARIO	22.68	17.62	19.96	12.82	13.52	7.75	8.67	7.53	5.73	6.54	-	-	-	-	-
TOTALS UNIONIZED IN INDUSTRY	23,650	33,710	24,000	29,500	36,000										
TOTAL IN INDUSTRY						69,144	68,512	63,579	62,544	74,445					

TYPOLGY\*\*

Typ. 7-8

COMPANIES IN MULTI-EMPLOYER BARGAINING GROUPS EXPRESSED  
AS A % OF COMPANIES IN THE INDUSTRY SAMPLE

Union		Union		Union		Union		Union		Multi Union		Single Union	
Single	Multi	Single	Multi	Single	Multi	Single	Multi	Single	Multi	4	2	3	1
<u>1955</u>	<u>1957</u>	<u>1957</u>	<u>1959</u>	<u>1959</u>	<u>1961</u>	<u>1961</u>	<u>1964</u>	<u>1964</u>	<u>1964</u>	ME***	SE	ME	SE
-	-	-	-	-	-	-	50.00	-	-	-	-	-	50.00
-	-	-	-	-	-	-	-	-	-	-	-	16.66	33.33

Typ. 1...4

COMPANIES IN SINGLE EMPLOYER BARGAINING GROUPS EXPRESSED  
AS A % OF THE COMPANIES IN THE INDUSTRY SAMPLE

Multi Union		Single Union		Multi Union		Single Union		Multi Union		Single Union		Multi Union		Single Union	
4	2	3	1	4	2	3	1	4	2	3	1	4	2	3	1
<u>ME</u>	<u>SE</u>	<u>ME</u>	<u>SE</u>	<u>ME</u>	<u>SE</u>	<u>ME</u>	<u>SE</u>	<u>ME</u>	<u>SE</u>	<u>ME</u>	<u>SE</u>	<u>ME</u>	<u>SE</u>	<u>ME</u>	<u>SE</u>
-	-	16.66	33.33	-	-	-	20.00	-	-	-	50.00	-	-	7.14	28.57
-	-	16.66	33.33	-	-	20.00	60.00	-	-	16.66	33.33	-	-	7.14	7.14

\* SAMPLE: 22.04 of Industry 1955  
22.04 of Industry 1964  
SOURCE: "Labour Organizations in Canada"  
"Labour Gazette" (Publication)  
Dominion Bureau of Statistics "Summary Statistics  
of the Manufacturing Industries".

\*\* SOURCE: "Study of the Structure of Collecting Bargaining"  
Economic & Research Branch  
Department of Labour

\*\*\* ME : Multi-Establishment  
SE : Single-Establishment

## Transportation

Transportation is a major service industry in which one finds both federal and provincial authorities assuming jurisdiction. <sup>7/</sup> While the division of authority may be largely academic in the railroads it is very real in the trucking industry where it presents many problems. In order for the federal government to assume jurisdiction the services must extend beyond a particular provincial boundary. The slightest amount of business operation in another province(s) or state will make the federal laws applicable. <sup>8/</sup> The programming of the computer by employees at the Department of Labour restricted the survey of the railroad industry to the non-operatives and revealed that collective bargaining occurred on a multi-employer basis (see Table IX). The trucking industry is involved in regulating its labour relations under both federal and provincial statutes and complainants are vociferous in their views that conflicts between statutory enactments must be eliminated.

The most recent and poignant example of conflict in legislation was the passage of the Canada Labour (Standards) Code (Ch. 38, Statutes of Canada, 1965). The Ontario Industrial Standards Act allows truck drivers to drive a total of 60 hours per week at straight time whereas the Canada Code sets the normal work week for such workers at 40 hours with 48 being the maximum number of hours and the last 8 at time and one half. The

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<sup>7/</sup> The B.N.A. Act, Sec. 92(10)(a); Sec. 91(29).

<sup>8/</sup> Liquid Cargo lines case 65 C.L.L.C.P. 14, 053 where it was held the federal jurisdiction applied even though less than 2 per cent of the transporter's business extended beyond the Province of Ontario.



industry was exempted from the code while a Royal Commission studied the conflict. 2/

The recommendation of the Murchison Commission was to establish hours especially for the trucking industry to coincide with the unique problems associated with such industry and reduce hours of work gradually over a three-year period.

This and other conflicts in legislation will be discussed later in the chapter. The data included collective bargaining groups in Quebec, Ontario and British Columbia. While many trucking companies are found in other parts of Canada the large ones are concentrated in the three above named provinces. In the submission to the Task Force, the Canadian Trucking Association stated on page 16, "with the exception of group bargaining that takes place in British Columbia, Ontario and Quebec, collective bargaining is for the most part on an individual basis."

One of the largest groups of employers is the Motor Transport Industrial Relations Bureau of Ontario with head office in Toronto. 90 per cent of its members are located in Toronto, Montreal, Hamilton and Windsor which is composed of approximately 85 companies. The Quebec group is composed of 9 companies which are primarily interprovincial carriers. In addition, there are 11 firms that are automobile haulers that transport autos in Ontario, Quebec and the Maritimes.

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2/ Hours of work in the trucking industry under federal jurisdiction by C.A.L. Murchison, Q.C., October, 1967, Canada Department of Labour.

There are several group collective agreements. One covers Northern Ontario, another the Lakehead, still another in Southern Ontario. In addition, there is one agreement each for the Quebec haulers and the automobile haulers.

It is estimated by the Bureau that it represents approximately 20 per cent of the companies in Ontario who in turn employ approximately 40 per cent of all employees in that province.

The Bureau began in 1946 when the Teamsters began organizing in the Windsor area. It is conceded by representatives of the Bureau that its beginning was due to the urging to this effect by the union. Originally it was composed of 6 large carriers but today 40 per cent of the members are classed as small companies employing 75 employees or less.

With one exception in 1962 the membership has remained fairly constant over the past 15 years. In that year 6 companies broke away while a strike was in progress. They argued that to remain steadfast would ruin them financially so they concluded agreements individually. Some of them have made overtures to return and the Bureau refuses to entertain any thoughts about having them back because it is argued they would probably withdraw again in a crisis. The reasons attributed to their desire to return is a realization by them that they are at a disadvantage acting on their own in that their wage costs are higher than those paid by the Bureau members.

The International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers of America represents employees of each member of the Bureau with two exceptions. The Canadian Brotherhood of Railway, Transport

and General Workers (C.B.R.T.) is the representative for employees of Bureau members in Kitchener and Stratford.

The Southern Ontario membership is considered to be the most important by the Bureau. It has the largest group involving 53 companies which employ approximately 8,000 persons. 5 teamster locals represent the employees of the above group. They are situated in Windsor, London, Hamilton, Toronto and Kingston. Representatives from the Bureau conduct the bargaining on behalf of the companies but meetings are held prior to negotiations to ascertain the views of the members and decide upon a course of action. The teamsters also conduct pre-negotiation meetings with representatives from the 5 locals. Eventually one spokesman will emerge who becomes the major participant at the bargaining sessions but politics plays a role here in that various factions within the locals struggle to emerge as strongmen. One master agreement is agreed upon and the Bureau has been adamantly opposed to the demands that separate agreements be negotiated with each local on matters peculiar to a particular local. To date the Bureau has been successful in its stand.

The C.B.R.T. locals in Kitchener and Stratford negotiate separately with the Bureau for their members.

The representatives of the Bureau estimate that approximately 50 per cent of its members fall within provincial jurisdiction and the remainder operate under federal laws. This situation has created a real problem in that the union refuses to accept anything less than the best benefits for any of its members. Consequently, due to the Canada Labour Code which is more generous than say, Ontario or Quebec, it is the one demanded by the

union. For example, the Canada Code stipulates that the minimum vacation period is two weeks after employment of one year whereas in Ontario the two week minimum requirement comes into effect after three years. While many Bureau members are involved with the Ontario laws only they necessarily have to adopt the federal code or risk strike action. To date, while such members violently oppose this approach by the union claiming their operation is more expensive than competition outside the Bureau they nevertheless remain within the Bureau believing all factors considered they still enjoy a preferred position in relation to unions representing employees of such competition.



COMPANIES IN VARIOUS EMPLOYER BARGAINING GROUPS  
EXPRESSED AS A PERCENTAGE OF THE COMPANIES

IN THE INDUSTRY SAMPLE

TRANSPORTATION - TRUCKING

JURISDICTION	Single Co. - Multi-Estab. - Single Union				Multi-Co. - Single Union				Employer Association - Single Union			
	Typology - 3				Typology - 5				Typology - 7			
	1963	1956	1958	1962	1964	1961	1963	1966	1968	1962	1964	1966
ONTARIO	-	-	-	-	-	-	-	-	-	-	-	-
QUEBEC	-	-	-	-	-	-	-	-	-	-	-	-
BRITISH COLUMBIA	-	-	-	-	-	-	-	37.50	-	-	-	-
INTERPROVINCIAL (Que., Ont., & Man.)	-	-	-	2.63	6.77	-	-	-	-	-	-	-

Note - Based on 1962 employee figures  
Sample = 39.3% of industry

TRANSPORTATION - RAILROAD

JURISDICTION	Multi-Company Multi-Union				Employer Association - Single Union			
	Typology - 6				Typology - 7			
	1964	1956	1958	1961	1964	1956	1961	1964
Non-Ope - Canada Wide	100.00	100.00	100.00	100.00	-	-	-	-

Sample:  
74.37% of Industry 1954  
63.43% of Industry 1964

Source - "Labour Organizations in Canada"  
"Labour Gazette"

"Study of the Structure of Collective Bargaining"  
Economics and Research Branch,  
Department of Labour.

## Printing and Publishing

Our survey disclosed that the job printing section of the industry is heavily committed to collective bargaining through employer associations whereas negotiations in the publishing industry is confined to single employer bargaining. Toronto and Montreal are the dominant printing centers in Canada.

"More than 3/4 of the workers in the industry are in Quebec and Ontario and as is to be expected most of the tradesmen are in the larger urban centers of Toronto and Montreal. Toronto, the largest printing center, does 55 per cent of all the printing in Canada and Montreal, the second largest does 25 per cent of the remaining 45 per cent." 10/

While the publishing industry has been restricted to single-employer single union collective bargaining in the past, a council of trade unions has been formed in Toronto within the past year which includes all unions except the International Typographical Union. The unions believe they must join forces if they hope to be successful in achieving their goals against the large and powerful publishers. We have found this to be the only existing council in Canada except for the one in Ottawa which is conducting negotiations with the federal government for employees in the Public Service. 11/ This council was formed not out of desire but necessity due to the Act which stipulates that initial certification of

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10/ The Industrial Relations System in the Printing industry - Canada. Project No. 55 P, for the Task Force on Labour Relations, by Bruce MacDonald, p. 5.

11/ Public Service Staff Relations Act, Statutes of Canada, 14-15-16, Elizabeth II, Ch. 72, Sec. 28.2.

bargaining units must contain all employees in an occupational group. 12/ The International Typographers also belong to this Council. However, whether the I.T.U. will remain a member of the Council following the initial certification period is conjecture but if past experience is a guide it would seem highly unlikely.

A new development occurred in the printing segment of the industry in 1968 wherein three employer associations banded together to meet the Lithographers for the first time. They were the Employing Printing Association (E.P.A.) which is composed of members who are in Montreal exclusively; the Council of Printing Industries (C.P.I.) located exclusively in Toronto 13/ and the Canadian Lithographers' Association (C.L.A.) which has members throughout Eastern Canada. Included in the C.L.A. were members from Ottawa, Hamilton and London, so five cities were involved. All three associations employ lithographers. Past experience had been that the E.P.A. and C.P.I. would await the results of the negotiations of the C.L.A. and would then adopt the same settlement. The reasons for E.P.A. and C.P.I. joining the C.L.A. in negotiations with the lithographers are twofold and easily understood. First, they (C.P.I. and E.P.A.) had been making settlements that were identical to the C.L.A. and secondly, while acknowledging the C.L.A. settlement to be the pattern setter they had no voice in establishing the pattern rate. This new arrangement affords them the opportunity to actively participate in such negotiations. An interesting development which emerged was the fact that none of the three associations could agree on whose representative would lead the negotiations.

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12/ Ibid., Sec. 26, ss. 4. 5.

13/ General employers in Hamilton belong to C.P.I. because of their close proximity to Toronto.

Finally, they chose a management consultant firm to send a representative to the negotiating table as chief spokesman. 14/ Thus, while they were willing to join together they nevertheless were unwilling to allow any one association to assume a dominant role in the negotiations. Another deviation from the normal pattern during the last series of negotiations was the conciliation services that were provided. The union officials concede they have always proceeded to the conciliation officer stage during negotiations for beneficial reasons. The Lithographers had previously negotiated with the C.L.A. in Quebec and Ontario at the same bargaining table and if a conciliation officer was required the Ontario Labour Relations Board or the Quebec Labour Relations Board would invariably agree to have the officer who was first appointed in either province to make his recommendations applicable to both jurisdictions thereby in effect having only one officer for both. Such was not the case during the most recent set of negotiations. The parties proceeded to the stage of requesting conciliation services which resulted in having two conciliation officers appointed, one by and for each province. As in the past, joint conciliation meetings were held, however, while the meetings took place in Quebec the Ontario officer sat as an observer whereas the Quebec officer only assumed the role of observer while the meetings were being held in Ontario.

The different procedural periods involved before acquiring the right to strike in Ontario and Quebec does not present an obstacle to the unions. The officials believe if one group went on strike all the members of the associations would lockout. During the strike in 1949 there were

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14/ He was Mr. Don Pyle, Hickling-Johnston Limited, Toronto.



initially two shops struck in Montreal which was immediately followed by a complete lockout by the Association in Quebec and Ontario. The union officials operate under no delusions and believe the employers would repeat the 1949 experience if one or two shops struck. 15/

Our findings reveal therefore that poly party bargaining in the printing industry is beginning to assume wider proportions. Indeed, the union officials are now beginning to covet the lithographers in Western Canada (employees of the Prairie Lithographers Association and the British Columbia Lithographers Association) to join the Eastern group with an idea of eventually negotiating one national contract.

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15/ Note: However, it is to be presumed the employees in Quebec could legally strike before the Ontario group due to the longer procedural requirements in the latter province. If such were the situation it is conceivable that the union may apply to the Board for a declaration that the lockout is unlawful thereby thwarting the efforts of the C.L.A. See Ontario Labour Relations Act; revised Statutes of Ontario 1960, Ch. 202, s. 68.

Typ. 5-b

COMPANIES IN ASSOCIATIONS EXPRESSED AS A  
A. 1. COMPANIES IN THE INDUSTRY SAMPLE

COMPANIES IN MULTI-DIVISION BARGAIN & GROUP EXPRESSED  
AS A % OF COMPANIES IN THE STUDY SAMPLE

						Unions	Unions	Unions	Unions	Unions	Unions
						Single Multi	Single Multi	Single Multi	Single Multi	Single Multi	Single Multi
						1957	1956	1958	1957	1956	1957
95%	1956	1958	1960	1962	96%	-	-	-	-	-	-
100%	99.35	90.35	69.50	44.64	62.22	-	-	-	-	-	-
100%	-	-	26.57	50.57	16.66	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-
100%	-	-	18.00	71.40	22.02	-	-	-	-	-	-
62.10	14.45	92.35	40.71	-	48.77	-	-	-	-	-	-
100%	-	-	14.28	26.78	6.33	-	-	-	-	-	-

27. 1004

COMPANIES IN SINGLE EMPLOYER BARGAINING GROUPS  
EXPRESSED AS A % OF COMPANIES IN INDUSTRIAL CATTLE

[illegible]

12. IV of Industry 1965  
"Labour Organizations in Canada"  
"Labour Gazette"  
"Annual Journal of Statistics" "Summary of the Economic Situation"  
"the Structure of Collective Bargaining"  
"Research and Development of Labour"  
"Management"

## Construction

We earlier indicated that the construction industry had not been included in the data compiled by the Department of Labour. However, we were able to study some facets of collective bargaining in this industry which we include in the following paragraphs.

Poly party bargaining has been the accepted practice by employers in the construction industry for many years. They normally form organizations called builders' exchanges which have various sections within same. Each section (e.g., general contractors section; road builders' section; etc.,) has representatives that devote particular attention to the requirements of their respective section while the exchange serves to co-ordinate the efforts of the entire industry in the area. There usually are contractors who do not belong to the exchange but it is generally believed the exchange sets the pattern for wages in the general area.

The builders' exchanges are organized on a local basis but are affiliated with the Canadian Construction Association, a national organization, which distributes information and provides a co-ordinating influence in the industry. The employees in the industry are well organized having such powerful unions as the United Brotherhood of Carpenters and Joiners of America; the Bricklayers Masons and Plasters International Union of America; the International Brotherhood of Electrical Workers, etc., as their representatives. In addition, there are building trades councils in the larger centers which are creatures of the locals which enable the latter groups a common meeting ground to establish uniform policies for the area as well as providing informative and other allied services. Negotiations, however, are conducted by the locals.

Both the employers and employees in the construction industry are therefore well organized, locally and nationally. While data is lacking we have found from interviews that poly party bargaining commands a high percentage of the total bargaining carried on in this industry, due in large measure to the integrated organizations existing on both sides. Furthermore, they have spent considerable sums of money in researching the labour relations aspects of the construction industry (witness the Goldenburg study for the C.C.A.) and effective lobbying has achieved legislative change such as the 1966 Amendment to the Ontario Labour Relations Act which allows certification of councils of trade unions. 16/

**The Quebec Collective Agreement Decrees Act. 17/**

In the Province of Quebec, the Collective Agreement Decrees Act (commonly referred to as the Decree System) has given added impetus to collective bargaining on a poly party basis. First enacted in 1934, the Act provides that any party to an agreement may apply to the Lieutenant-Governor in Council to have the agreement extended to cover the entire industry in the Province or to a section of the Province. Objections may be made to the Minister of Labour who may hold an inquiry and "if he deems that the provisions of the Agreement have acquired a preponderant significance and importance for the establishing of conditions of labour" he may recommend that the Lieutenant-Governor in Council approve the petition.

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16/ Statutes of Ontario, 1966, Ch. 76, s. 3. Again due to another Goldenburg Study; viz. Report of the Royal Commission on Labour-Management Relations in the Construction Industry, 1962, pp. 39-40.

17/ Revised Statutes of Quebec, 1964, Ch. 143.



The Minister must consider competition of outside countries or other provinces as well as the peculiar economic conditions of the various regions of the province.

The terms of the collective agreement that can be extended are limited. Essentially they include wages, working conditions, and hours of work. The collective agreements so extended are enforced by a joint committee of the parties called parity committees with, at the discretion of the Minister, representatives of non parties.

From interviews conducted with representatives from parity committees as well as others in the respective industries we discovered such parity committees can be extremely effective or ineffective depending mainly upon the size of the particular industry or section of a particular industry. For example, we have chosen two committees in the clothing industry. There is the Joint Commission for the Dress Industry of the Province of Quebec which is extremely well organized with an efficient staff using computers to process the payroll data it receives from the parties in the industry along with other information such as hours worked, etc. The Commission employs 60 people including 14 male inspectors and 4 female inspectors and has province-wide jurisdiction. The Commission has power to inspect premises and prosecute violators (as do all commissions). The Commission operates on an annual budget of approximately \$350,000 but has a potential of receiving \$450,000. Levies are therefore waived for one or two months annually. By statute the commissions are empowered to levy 1/2 of 1 per cent of the employer's payroll from each employer as well as receiving same from each employee. For the extreme opposite situation there exists the Fur Industry Parity Committee. Unlike the Dress Industry

this Committee operates under limited funds and its effectiveness is reflected in its operations according to people in the Fur Manufacturing Industry. The decree covers the industry for approximately a 50-mile radius around Montreal but this is the only decree in the province since the industry is almost entirely located in that city. Its annual budget is \$60,000 and employs a staff of 7 people which is regarded as being inadequate to properly carry out its functions. Consequently, the Committee is ineffective in carrying out the functions for which it was designed.

Actual Extent to Which the Decree System Affects the Manufacturing and Construction Industries

Knowing the purpose for which the Collective Agreement Decrees Act (hereinafter referred to as the Decree System) was enacted we endeavoured to ascertain the extent to which it has actually influenced industry in Quebec. In manufacturing, approximately  $37 \frac{3}{4}$  per cent of all employers in the province have had the Decree System extended to their operations. They in turn employ approximately 20 per cent of all employees eligible to be unionized in manufacturing. Only  $9 \frac{1}{2}$  per cent of the employers have not been organized nor are they affected by the Decree System; they employ approximately the same proportion of employees.

It is interesting to note that organized employers in manufacturing employ approximately 80 employees on the average whereas the employers covered by the Decree System employ approximately 30 on the average. Unions, therefore, have apparently successfully exerted their efforts in organizing the larger groups while the smaller employers, on the average, have remained unorganized but have been seized by the Decree System. Another interesting observation is the combined average of the number of

employees employed by employers who either have collective agreements or who are affected by same through the Decrees is 59 which equals the average number of employees working for employers who are outside the purview of both. The construction industry is completely affected by collective agreements or the Decree System. However, a division between groups actually covered by collective agreements and groups affected by the extension of collective agreements under the Decree System was not available and had to be combined. 19/ Table XI illustrates our findings.

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19/ Mr. Jean Levesque, Technical Advisor, Department of Labour for the Province of Quebec, advised the author that there is extreme fluctuations in the number of employers and employees in the construction industry in Quebec. He states that seasonal employment as well as short term construction contracts make it difficult to maintain an accurate total dividing the two categories. On the employer side companies may be formed for particular construction projects which may be dissolved immediately following completion of the work so again it makes accurate tabulation difficult to maintain.

TABLE XI

THE EXTENT OF THE COLLECTIVE AGREEMENT  
DECREES ACT IN INDUSTRY IN QUEBEC

	<u>Collective Agreements</u>	<u>Decrees</u>	<u>Neither</u>
<b>Manufacturing:</b>			
Total Number of Employers	5,617	4,030	1,030
Percentage of Employers	52.60	37.74	9.64
Total Number of Employees	447,956	119,836	60,744
Percentage of Employees	71.26	19.06	9.66
Average Number of Employees Per Employer (Rounded to Nearest Employee)	$\frac{80 + 30}{2} = 59$		59 59
<b>Construction:</b>			
Total Number of Employers	14,881		nil
Percentage of Employers	100.		
Total Number of Employees	77,354		nil
Percentage of Employees	100.		
Average Number of Employees Per Employer (Rounded to Nearest Employee)		5	nil

Source: Department of Labour, Province of Quebec.  
Figures as at December 31, 1967.



We have demonstrated that poly party bargaining is more commonly found existing within specific geographic areas. Examples of this include the Pulp and Paper Industry, Trucking and Clothing.

Various methods of poly party bargaining exist. One example may involve several employers who join to bargain with one union (e.g., The Trucking Industry) or there may be several unions involved (e.g., The Pulp and Paper Industry). Also, the employer group may vary considerably in structure and activity. Some groups form associations which have their own constitutions and are therefore separate legal entities. Others merely come together for mutual advantage through joint bargaining committees without incorporation and break away following settlement of contract with the unions. Others may employ one negotiator who is authorized by power of attorney to represent them at the bargaining table. While smaller firms have a greater tendency to employ this latter method, usually having a lawyer represent them, the middle sized firms are turning to management consultant firms. They rationalize that such consultants are rapidly achieving a sophisticated approach to collective bargaining and have respectable research facilities. Furthermore, they believe that such arrangements are more economical than establishing associations with their own research staff which, of necessity, becomes an expense on an annual basis. Thus, the cost of consultant firms at \$150 per day for a period of approximately one month is much less expensive than their own facilities. Whether the employers are deriving as much benefit from the consultant as they would from their own set up is difficult to state. However, those using this method seem satisfied which augurs well for consultant firms and may portend a new development in collective bargaining as an alternative to establishing employer associations.

Having established the existence of poly party bargaining there are several fundamental questions that must be answered. Such questions revolve around whether such relationships are intrinsically beneficial to the parties involved as well as to the public at large. These issues must be viewed from all aspects. For example, if multi-employer co-operation is deemed to be unacceptable because too much power may become vested in a small group within an entire industry, isn't the corollary true that large or multi-unions offer similar dictatorial possibilities? The public also becomes an increasingly important factor where the bargaining relationships becomes larger especially where it involves an entire industry (rare in Canada) or a preponderent proportion of one (rails).

From interviews conducted together with our data we have discovered that persons involved in this process of collective bargaining entertain very definite views on the question of poly party bargaining. Those in favour of larger bargaining relationships were quite emphatic in their views whereas those who expressed opposition were equally as explicit in their views. We have collated such views, pro and con, which we set out below.

#### Advantages

Both management and union leaders who favour poly party bargaining offered several reasons why they do so. Basically they expound on similar reasons which we list below.

Sophistication and Convenience: The smaller and middle size employers have discovered that the unions have tremendous resources to draw upon through their national or international affiliations and by joining

together in large numbers they are able to sit as equals which enhances their bargaining capability. Both parties are in agreement that it would be nearly impossible for each employer to negotiate an agreement separately because alone they neither have the manpower nor the research facilities. By joining forces, however, they are able to afford professional management-labour relations people who can more adequately deal with the increasingly complex problems such relationships present.

Elimination of Wages as a Competitive Factor: Employers acknowledge that by joining forces and agreeing beforehand upon what they, as a group, will settle for eliminates the possibilities that one employer will gain an advantage over another by settling for lesser wage rates. Unions favour this aspect of poly party bargaining since they have long advocated the elimination of wage rates as a competitive factor. Furthermore, the unions are elated over the fact that a single employer in an area is prevented from establishing a low prevailing rate. It is conceded there may be instances where employers in an area may not belong to the employer group but unions do not regard this as a threat because invariably it is the large group that establishes the pattern. Even where there are employers outside the group who may pay lesser wages, the unions have eliminated wage rate competition in a portion of the industry in the area.

The working conditions and fringe benefits also tend to become standardized so that differentials here too have a greater tendency of being eliminated.

Duration of Contracts: Where there is a uniform contract in existence there is less likelihood of either party failing to adhere strictly to its terms than might otherwise be the case in single party relationships. The



unions assume the role of watchdog in ensuring that no single employer receives undue advantage over others. Also, where there is an employer association with a professional staff there is uniform interpretation of the contract which tends to eliminate possible discriminatory personnel administration. Furthermore, grievances are treated similarly throughout which tends to become precedent oriented and thereby eliminates frivolous grievances which otherwise could lead to arbitrations.

Uniform Acceptability: With the establishment of poly party groups the employers tend to more readily accept unionism whereas they previously had adopted an attitude that unions were an evil they simply had to endure. This recognition on the part of management plus the standardizing of wages and working conditions has the effect of elevating both groups to a plateau they had not before attained with both benefiting from a more sympathetic understanding of the benefits and shortcomings of each other.

More Benevolent Fringes: By joining forces the employers are able to adopt better fringe benefits at little or no extra cost. Quite often these costs are lower. This thesis is rationalized on the fact that group insurance rates, or medical benefits are cheaper where a larger group is involved. In addition, administration of such plans are centralized and costs to each employer is thereby lowered. Union members also benefit in achieving greater benefits as a general rule than would otherwise be the case if their employers operated on an individual basis.

Strength in Numbers: As indicated earlier there is the very important factor that poly party groups establish a potential strength in opposition to the other side which would otherwise be more difficult to obtain. The "whip-sawing" tactics available to unions where many employers operate



individually can be devastating to some employers, especially those industries where labour costs account for a high proportion of the overall operating costs. Furthermore, whip-sawing tends to heighten tensions and makes employers more suspicious of one another. Poly party bargaining eliminates whip-sawing and places greater responsibility on both sides in their decision to cause a strike or lockout. In addition, the employer group can effectively withstand a strike with less hardship than single employers through establishment of strike funds. 18/

Infrequent Strikes: Both parties agree that poly party bargaining reduces the number of strikes. They recognize the severity of strikes where great numbers are involved and there is therefore a greater determination to settle issues at the bargaining table. The union leaders claim that the negotiators representing management in poly party groups are more professional in their approach and have lesser tendencies to make irrational moves than the negotiator representing a single employer. Also, the union is less eager to cause a strike in situations where all the members will be unemployed thereby causing a situation in which the strike fund is not being subsidized by working members.

There is the added factor that the government may intervene in situations involving strikes or lockouts of large segments of an industry. At least the government is considered to be a real factor by both parties in situations involving a threatened or actual strike or lockout and such factor cannot be discarded with impunity.

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18/ It was suggested the Eastern Printing Association in Montreal has a substantial strike fund. However, it was unable to have this suggestion confirmed but it is interesting to note that the suggestion was not denied either.

Disadvantages: Opponents of poly party bargaining were as emphatic in their views as were the proponents. They, both management and union officials, gave lucid reasons why they take their particular stands. The outline of the major objections is below.

Remoteness of Negotiations: In situations involving poly party bargaining on a fairly large geographical or regional basis there is a tendency for local issues to be sacrificed for the overall benefit of the entire group. There is a strong likelihood that negotiations in such situations are conducted by professionals on both sides who lose sight of local conditions, especially at times when negotiations are drawing near a strike deadline. It is emphasized that such negotiators may be fully aware of all the local conditions but in order to reach a settlement must, of necessity, keep the average conditions in mind. Their effort may therefore be directed at satisfying the desires of the majority. This further alienates the minorities who may regard the settlement as unworkable in their peculiar situations with little incentive to make the contract function.

Loss of Good Management-Labour Relations: The central administration of the association performs much of the administration of contracts which is remote from the actual employer or plant. While the relationship may have been excellent when all problems within a plant were handled at that level there is a tendency for such relationships to deteriorate to the lowest common denominator in poly party groups. Furthermore, the union members believe they no longer retain any status within the union ranks because the larger the negotiating unit or units the higher the union official doing the actual bargaining becomes. This situation in effect places more control in the union hierarchy at the national or international level to

the detriment of local members thereby lessening union democracy.

Loss of Union Democracy: As already mentioned in the preceding paragraph the leadership in union affairs become centred upon union officials away from the local scenes. While such a situation dissipates local autonomy it creates other problems as well. The decisions concerning strikes and working conditions are removed from the local scene which does not take into consideration local conditions but looks at the entire situation instead.

Loss of Employer Independence in Relation to Management-Labour Relations:

In poly party bargaining the individual employer loses control over his labour relations and must submit to the will of the majority in such matters. It is conceivable in such situations that a weak employer may be sacrificed for the benefit of the whole because his vote on important matters will not be sufficient to reverse the intended plan of the majority. The individual employer will be bound to accept the agreement for its life-span even though he may have objected because once having agreed to enter into negotiations with the group he is bound to go through with same until the parties have reached agreement and until such time as they may once again give notice to negotiate.

Inequality of Wages: In instances of poly party bargaining there may be found fairly large geographical areas with a tendency to pay wages in the entire area that are based on prevailing wages in the highest paid area of the geographic region. There may be regional areas within larger areas where wage differentials apply but the tendency is for unions to strive for the highest prevailing rate in the entire region thus forcing employers in some distant regions to pay wages that are not in keeping with the community or area in which they are located. These employers elect to



remain within the group however, because other favourable reasons for doing so outweigh the reasons for withdrawing. Furthermore, in times of recession there may be marginal employers who would be forced into bankruptcy because they have been "locked in" to a large association of which the majority is willing to continue to pay wages above what the marginal employer can afford.

Seriousness of Strikes: It is argued that the probability of strikes occurring in instances involving poly party bargaining is lessened. While we concur, there is nevertheless the fact that when strikes do occur they are much more serious and may even endanger the health and well being of a community, a region, or the entire nation depending on the scope of the bargaining involved. If the strike was against one employer the impact may not be too great whereas the public interest becomes a determining factor in regional or national wide bargaining.

### Conclusion

We have found that there has not been any stampede toward poly party bargaining. The construction industry, however, may be moving toward such relationships at a fairly rapid rate but the data failed to reveal information on the industry and any statement on our part is pure conjecture.

Our findings would lead us to believe that industries containing a preponderance of small and middle sized employers favour poly party bargaining. In the small companies the negotiations are conducted, as a general rule, by a lawyer who specializes in labour relations whereas the middle sized companies have a greater tendency to form associations which



retain professional negotiators on an annual basis. A recent development appears to be a trend toward using management consultant firms. While they are expensive for the period required they nevertheless are much less expensive than retaining professional negotiators year round. We have found that unions strive to have employers form into groups because this results in economy in their negotiation efforts and reduces competition among employers over wages and working conditions. Employers form organizations to protect themselves from other employers as well as offsetting union strength. They realize the unions will serve as watchdogs to ensure that no single employer will obtain an advantage thereby relieving him of concern over what his competitor may be doing regarding wage and fringe benefit costs.

The large corporations are not compelled to form associations as are the smaller employers. They can afford labour-relations departments and can withstand pressure from the unions; in short their resources are far more adequate to cope with the unions. In addition, labour costs usually do not represent as significant a cost in the overall operations as is the case in small firms. Such corporations are more capable of withstanding strikes because of probable capabilities of continuing operations on a limited scale or utilizing stockpiled inventories which it was capable of producing in preparation for a strike.

While the larger corporations may formally remain apart from each other that does not mean that informal contact is not maintained. It is possible that one settlement will be reflected throughout the industry and smaller settlements following. However, formal co-operation may bring in Anti-Combines investigations which are desired by no one.

Therefore, it is suggested that little growth will be encountered in the foreseeable future as far as poly party bargaining is concerned in the large corporations.

Some industries which are extremely large but where formal co-operation through poly party bargaining exists have peculiar circumstances. The Railroads and Longshoring Industries are examples of such relationships but ones in which the government is deeply involved through subsidies, etc., and which will be called upon to approve. It is therefore an absolute necessity to have uniformity of approach in order that the government may be clear in its role.

To summarize, while pressures continue by unions for employers to join or create poly party groups this pressure does not appear to be too intensive. In the industries where we found poly party bargaining presently existing, both sides seem relatively satisfied with the merits of such relationships and would not change for some other arrangements. They believe that such relationships have been created out of a need on the part of both sides and maintain that the system is a viable one which adequately meets the needs of management labour relations.

Provincial "barriers" do not present the immense problems we at first believed. While they do make the relationship a more dependent one upon greater co-operation they do not present great obstacles. The parties have been able to adapt to the procedural differences and find little to complain about. Provincial authorities must also receive praise because they too have played a significant role in their co-operative approach to the problems associated with interprovincial collective bargaining. One can safely assume that the provinces will not relinquish their

jurisdictional powers in this field so two alternatives appear. One, the various provincial authorities continue to co-operate as has been the experience in the past or, two, the provinces jointly establish a single body to regulate and adjudicate over interprovincial bargaining. Very briefly, the suggested body could be composed of ten representatives, one from each province with the chairman being selected on a rotating basis for short durations of six months or one year. This body would assume jurisdiction over collective bargaining where such bargaining took place involving employers or employees from more than one province. Further, its power could be limited to regulating the conciliation or mediation procedures whose rules and regulations would supersede those of any one province. Thus, there would be one procedure for all to follow before resorting to strike. Certification of bargaining agents, notice to operate and all other regulations would remain strictly with each provincial authority but once any segment of the regulating group requested conciliation or other assistance, such request would be directed to the above central board whose jurisdiction would attach over the entire collective bargaining groups.

Throughout our interviews we offered the above suggestion, or variations to it, to both management and union leaders. Keen interest was expressed on both sides which indicates they are searching for some single basis upon which they can rely when negotiations break down instead of having to concern themselves with the various procedures presently facing them. While a co-operative spirit seems to have prevailed to the present on the part of governments and the parties involved it doesn't necessarily follow that continued co-operation is assured. Therefore, if interprovincial collective bargaining is to continue, planning should begin in earnest



to devise an agency which can adequately accommodate this form of bargaining and the establishment of such agency should be made with least possible delay.







